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years is this growing solidarity amongst the working classes of the different European countries. (Applause.) Now here you have the great hope of peace, and in this movement I believe that this country may take, as it certainly ought from its past history to take, a leading part. Mr. Chairman, you referred to the fact that those who advocate universal peace are often described as being mere visionaries and Utopians. I am not ashamed of being regarded as a visionary. I am an idealist, and, when people sneer at me for my idealism, the answer that I give to them is that the man who has no ideal is a man who has no idea. (Applause.) It is as true today as when the wise words were uttered, that where there is no vision the people perish, and I believe that the vision of a universal peace is a vision that is going to be realized. We want to change our ideal; we want to change our ideal of national greatness. We want to realize that it is a greater triumph for statesmanship to do something to brighten the homes of the people, to give a better education to the children, to do something to lessen the appalling evils of intemperance—(applause)—that it is a greater triumph of statesmanship to do that, and a wiser national economy to spend money upon doing these things than it is to add two or three more "Dreadnoughts" to the Navy. (Cheers.) We want to realize that a beautiful school is a grander sight than a battleship, and a happy peasantry than huge battalions. Now, I said just now that I believe this nation may take a foremost part in helping forward the speedy coming of this day. Let us try to carry out the ideal and the suggestion of the late Sir Henry Campbell-Bannerman, who asked this country to take its place at the head of a world-wide league of peace. I believe that if we as a nation would do that, we may yet achieve a far greater and more imperishable empire. Inspired by our example, other nations will follow, saying, "This is glory, this is true dominion; these men build on eternal foundations; they are might, majesty, dominion and power." And I believe—I repeat, Mr. Chairman—that in spite of the fact that dark clouds still do lower, I believe that if we ascend to the mountain-top we shall see the sun still shines, and by and by it will burst through the clouds and shine again on a new-born world. (Applause.) Inspired by a holier conception of humanity, knowing we are all children of one common Father, men and women of every nation are being drawn together to fight in this the most righteous and glorious struggle the world has ever seen. They realize, they the workers of the world realize that they have no antagonisms, that they have no jealousies; they realize that they have a common enemy, and that militarism and military expenditure are the common enemies of the workers of all lands. (Applause.) They are beginning to realize that of all the great and priceless blessings of humanity the greatest of all is peace.

Mr. Philip Snowden, M. P., then moved the following resolution:

"This Annual Meeting of the Peace Society desires to express its regret at the inability of modern diplomacy to check the growth of military and naval armaments which form a continual menace and an ever-increasing burden;

"It acknowledges, with gratitude, the efforts which have been put forth by successive Chief Magistrates of

the City of London and their associates, for the promotion of a better understanding between nations, especially between our own country and Germany;

"And it welcomes all efforts which tend to remove international difficulties and misunderstandings, and so to open the way for a diminution in the costs of armaments, and for combined action in promoting peace."

The United States and Canada in Practical Arbitration.

By Hon. William Renwick Riddell, of Toronto, Canada.

Address at the Lake Mohonk Conference on International Arbitration, May 16, 1912.

The geographical relation between the United States and Canada (and I use the word "Canada" in the geographical and not the historical sense) permits, and indeed compels, these two countries to be an example to the rest of the world. They have the longest international boundary in the world; they also have vast realms which have not changed allegiance for a long period of time, and which have had no dislocation in form of government, etc.

No doubt the other conditions have been eminently promising for testing under most favorable terms the working of international treaties of arbitration. Those responsible for the policy on each side of the boundary were descended in great measure from the same stock; they had hundreds of years of history in common, the same language and laws, the same religion and manners, and in substance the same institutions, social and political. What is called, for want of a better word, the "genius" of the peoples was and is the same.

Until 1871 it may be said in general terms that the treaties were negotiated on the British side by statesmen in the Mother Country. These were indeed aided and instructed (so far as they would accept aid and instruction from "colonists") by Canadians, Nova Scotians, etc.; but they were not responsible to the people on the north side of the international boundary; their responsibility was to the people of the British Isles.

From and after 1871 it may be said again in general terms that the British side of the negotiations, so far as they affect Canada, had been conducted in fact, if not in form, by those responsible to Canadians, and the treaties have in that respect been in fact Canadian treaties. An interesting comparison might be drawn between the treaties before and after 1871, but this is not the place for it.

The long story begins with Jay's treaty of 1794, which provided for three Commissioners (one appointed by the King, one by the President, and the third chosen by these two, or if they could not agree, each was to name one and one of these chosen by lot) to determine the northeast boundary of the United States. This failed, and it was not until 1842 that the matter in dispute was settled. Jay's treaty also provided for the determination of the amount the United States should pay to British creditors on certain claims. The Commissioners for this purpose were five in number, two appointed by the King, two by the President, and the fifth by the unanimous voice of these four, or by lot. This also failed, and in 1802 a lump sum was agreed upon—£600,000.

Britain was also to compensate certain American creditors; a board of five Commissioners was appointed in the same way—their labors were interrupted for a time by difficulties arising from the claims of the British creditors, but in 1802 it was agreed that they should resume their duties—and ultimately they were successful.

The war of 1812 was followed by the Treaty of Ghent, 1814. This provided for two Commissioners to fix the boundary line at Passamaquoddy Bay, one appointed by the King, one by the President of the United States. These gentlemen, Messrs. Holmes and Barclay, arbitrated. They proceeded judiciously indeed, but not judicially. "It became necessary that each of the Commissioners should yield a part of his individual opinion." They, however, made an award in 1817 satisfactory to both sides. By the same treaty (that of 1814) two Commissioners appointed in the same way were to determine the northeastern boundary. They failed to agree.

The boundary at the lakes Ontario and Erie, etc., was satisfactorily settled by the commissioners, Messrs. Porter and Barclay, who made their award at Utica in 1822.

In 1818 a convention was concluded dealing (*inter alia*) with the question of the liability of Britain for the value of slaves. That was to be determined by some friendly sovereign or state, and it was determined by the Emperor of Russia. The value was to be determined by a board of commissioners. Ultimately, however, a lump sum was accepted by the United States. These proceedings did not affect Canada, but I insert a reference to them here as of interest and for the sake of completeness.

In 1827 the determination of the northeast boundary was agreed to be left to some friendly sovereign or state. The King of the Netherlands was chosen the following year, but his award, made in 1831, was satisfactory to neither party, and the line was finally settled by negotiation resulting in the Ashburton Treaty (or "Ashburton Capitulation," as Lord Palmerston called it) in 1842.

A convention in 1853 provided for claims by American citizens against Britain and British subjects against the United States, to be passed upon by two commissioners, who were to name an arbitrator or umpire, and if they could not agree, each was to name an arbitrator or umpire, and a lot to be cast which should act. An American and an Englishman being appointed as commissioners, they appointed an American living in England, Mr. Joshua Bates, umpire, and this board was completely successful in satisfying everybody except (and in some cases not even except) those who lost. In this Canada was not specially interested.

In 1854 it was agreed that the places at which United States fishermen might exercise the rights conferred by the convention of 1818 of taking, curing, and drying fish were to be determined by two commissioners and an arbitrator appointed in the time-honored way.

On the other side of the continent there were also difficulties. Britain had claimed down to the mouth of the Columbia River between 46° and 47°, the United States up to 54° 40'. By the treaty of 1818 it had been arranged that the debatable land should for ten years be open to "citizens and subjects of the two

powers" without prejudice to the claim of either. After abortive attempts to settle the matter in 1824 and 1826, the time was extended indefinitely in 1827. Polk's election was fought and won on the cry "Fifty-four forty or fight" (no one ever heard of an arbitration treaty winning an election), and finally a line at 49° was agreed upon in 1846, the United States to respect the possessory rights of the Hudson Bay Company and others south of the line and pay for any land taken by the Government.

In 1863 a treaty was entered into whereby the claims of the Hudson Bay Company and the Puget Sound Agricultural Company were referred to a board of commissioners, one to be appointed by each government, one arbitrator or umpire to be appointed by them, or, if they could not agree, by the King of Italy. The commissioners, Messrs. Rose and Johnson, made their award in 1869.

In 1871 the Treaty of Washington was made, containing provisions for arbitration on no less than four separate matters:

1. The "Alabama claims" to be disposed of by five arbitrators, one appointed by each of the following persons: the President, the Queen, the King of Italy, the President of the Swiss Republic, and the Emperor of Brazil, the King of Sweden to act if any of the last-named three declined to appoint. These arbitrators met at Geneva and made an award in which the British representative, Sir Alexander Cockburn, refused to join. It was, however, loyally accepted by Britain. This did not specially affect Canada.

2. Other claims against Britain, *e. g.*, for the St. Alban's raid, etc., to be dealt with by three commissioners, one to be appointed by each government and a third by the two governments conjointly, or, if they could not agree, by the Spanish representative at Washington. These met at Washington and passed on a great number of claims.

3. Claims by Canada arising from the fact that the American fishermen had gone beyond the rights to fish, etc., given by previous treaties. These were to be disposed of by three commissioners, one to be appointed by each of the two governments, the third by the two governments jointly, or, if they could not agree, by the Austrian Ambassador at the Court of St. James. These met at Halifax and made their award. The United States demurred for some time to paying the amount awarded, and it began to look as though the submission would be repudiated. After a time, however, better counsels prevailed, and the amount was paid.

4. What was the middle of the channel which separated the continent from Vancouver Island, which the treaty of 1846 had laid down as the boundary line in the Far West? Commissioners had been appointed (not by treaty, but by diplomatic action) to fix this channel, but had failed. There were three channels, De Haro, Douglas, and Rosario, separated by islands, and it was agreed to refer it to the Emperor of Germany to determine which was the channel meant in the treaty of 1846. He in 1872 decided for the De Haro channel, and the United States added so much to her territory.

Beginning about the early 80's there was trouble about Canadian sealers in Bering Sea and the adjoining ocean. Sixteen Canadian vessels were seized by American revenue cutters. At length, in February,

1892, the whole question as to damages, if any to be awarded, was agreed to be referred to seven arbitrators, two to be named by each government and one each by the King of Italy, the King of Sweden and Norway, and the President of France. These in 1893 met at Paris, and made an award of \$425,000 to be paid by the United States. It was paid shortly afterwards.

Then came the Alaska boundary treaty. The surveyors appointed under a convention made in 1892 had failed to agree. The question was not one of science. In 1903 it was agreed to refer the matter to a board of six impartial jurists of repute. I do not discuss the right of those appointed, or some of them, to be called "impartial" or "jurists;" that is for history to determine. They met in London in 1903, and, the two Canadians dissenting, made an award which excited much unfavorable comment in Canada, but which has been submitted to without formal objection.

In 1908 a general treaty of arbitration was entered into by Great Britain and the United States which provided for the reference to the court of arbitration at the Hague differences of a legal nature or relating to the interpretation of treaties; but in each individual case there was to be a special agreement defining the powers of the arbitrators, etc. A special agreement was made in 1909 as to the right to fish, etc., of American fishermen off the North Atlantic coast, and the matter came before a board sitting in The Hague in 1910, and composed of five persons, the Chief Justice of the Supreme Court of Canada, a distinguished American judge, an Austrian, a Dutchman, and an Argentinian. Their award was a victory for both parties, *illis judicibus*.

Then there is a treaty made in 1909 specially for the United States and Canada, providing for an international commission of six, three appointed by the United States and three by Canada, to pass (with the consent of the two countries) upon all disputes involving the rights, obligations, or interests of the United States or Canada, either in relation to each other or to their respective inhabitants. This I have on another occasion called a miniature Hague tribunal of our own, just for us English-speaking nations of the North American continent.

I do not propose to speak of abortive treaties which failed of confirmation by the Senate. The defeat of these may not be the proudest boast of the Senate in the future; I cannot judge; that is for history.

It remains in the very few moments at my disposal to consider how the treaties and the awards under them were received. The Jay treaty of 1794 was received with a fair amount of apprehension in England; Canada did not count in those days. But in the United States it was received with an outcry of such virulence as has never been excelled and seldom equaled, even in this favored part of the Lord's dominions. Jay and Washington (who sent him) were hailed as traitors to their country—they had sold their country to their enemies and disgracefully betrayed her interests. Jay failed of that which was the object of his honorable ambition and for which he lived—the Presidency of the United States. He did get five votes once from Connecticut—Connecticut always knows a good thing when she sees it—but that was the most he ever got for the Presidency of the United States. I am not sure Washington did

not omit to run for the third time (applause) owing to the venom with which he was covered by the democratic-republican party! If that suspicion is at all well founded, those—if there be those—who are troubled by the fact that he did not run for the third time may console themselves by the fact that the rule which is said to prevail—that no person can be President of the United States more than twice—would probably never have been heard of had it not been for the utterly unjust assaults made upon the best of their countrymen by the democratic-republican party! (Laughter.)

The treaties which followed, until we come down to 1871, were received with a great deal of approbation by everybody. In 1871 the treaty was not received well in Canada by the majority of the people. It was thought by Canadians that the treaty was signed for imperial reasons and that the interests of Canada were not so much conserved as might have been; but it was ultimately passed by the Canadian Parliament, and there is an end to that, and it has all died out by this time.

Then there was no trouble about any treaty until we come down to the Alaska award. It is impossible for one who troubles himself about history to close his eyes to the fact that Canada was not satisfied with the personnel of that board, even before the commissioners began their work. I am not justifying, I am not excusing; I am stating bare, bald facts which I know. Canada was not satisfied with the personnel on the American side of the board of impartial jurists of repute who were appointed arbiters—I do not mean one of them, but I mean a certain one or others of them. And the Canadians refused—I may say it was their understanding, rightly or wrongly, but it was understood by Canadians generally that at least one, and perhaps two, of these impartial jurists had already, before they sat on the board and before their appointment, expressed a firm intention not to give up one of the American contentions; whether that is true or not I do not know, and I am not arguing it; the award was not signed by the two Canadian arbiters, and Canadians cannot be got to believe that the award was signed by the English arbiter on judicial—on any other than diplomatic grounds. Whether that is true, I am not troubling myself about.

Then comes the award of the fisheries; that is, the award made in Halifax. I have spoken about them, and there is no necessity of saying anything more about it. The award made by the Hague Tribunal was received by acclaim by all parties, and apparently everybody was satisfied hereafter, at all events, to have anything left to a tribunal like that.

It is possible in the few moments left to say something on this. It is impossible not to recognize that treaties of arbitration do not appeal to the imagination; there is no glamour about them as there is about war; there is no serried march of enthusiastic, shouting men; there is no glitter of arms and armor; there is no waving battle flags, no waving of banners, no war-cry. What international treaty of arbitration could have stirred the hearts of some of the people of this nation as did "Remember the Maine!" We must remember that there is a great deal of brute yet left in man; passion and prejudice still have the upper hand over cool, calm judgment. No election ever was fought

on an arbitration treaty as the election was fought on the "54-40 or fight!" No candidate "appeals to the electorate by shouting what he proposes to do by an international treaty of arbitration in the way of goodwill toward men of other countries and peace on earth! The astute politician—I said the astute politician, not *the* astute politician (laughter); now you notice the difference—I said the astute politician, because I am given to understand that, quite contrary to what would appear, there is more than one astute politician in the United States—the astute politician, if he has been guilty of anything in the past, conceals it, explains it away, or possibly even denies it. Now in all countries in which the people govern—I assume that the people still govern, to some extent, at all events, in the United States, although, if I am to believe some of the words of some of your great men, popular government, if it is not entirely vanished, has been seriously impaired.

The voter has got to be educated; institutions, gatherings like this must not relax their efforts; you must educate your masters. The people of the United States and the people of Great Britain and the people of every other civilized country must be educated until they see what is right and what is just! *Vox populi* is often called *vox Dei*; the millennium is not very far off when *vox Dei* becomes *vox populi*, for thus speaketh the Lord of Hosts: "Execute true judgment, show mercy and compassion every man to his brother."

I have only a moment left, and the presence of a large number of my old friends here induces me to say what I have already said in substance on more than one occasion and to more than one gathering in this State and in other parts of this great Union. To my mind, there never will be a union, politically, or reunion of all the English-speaking people. There is no sentiment in the United States opposed to the republican form of government. Sixty years ago there was a great sentiment in the islands of Great Britain and elsewhere for a republican government throughout the British world; that largely, thanks to the glorious life of her late Majesty, Queen Victoria (applause), is all gone. We must have our two flags. We have the old Union Jack, the flag that braved a thousand years the battle and the breeze, on which the sun never sets, and which is the emblem of liberty throughout the whole world. We have the younger flag, also sun-kissed and wind-tossed, with the same three historical national colors—red, white, and blue—not so broadly spread, perhaps, as the Union Jack, but equally standing for liberty and justice and right. There never will be, I venture to think, a union in the way of a treaty for mutual, common offense or defense; I do not think that will ever come about; I do not know that I want it; I do not know that any true friend of peace does really want anything of the kind; "the letter killeth, but the Spirit giveth life." There is that which is more binding than any parchment bond; there is that which is more enduring than words in ink, written by quill or steel—there is the union of hearts; and it is that union which I hope to see in the future, as in the past, between these two great peoples. Two peoples descended largely from the same stock, with the same language, the same literature, the same religion, having everything in common, must needs, so long as the moral law is moral law, so long as God sits on His throne, stand side by side and

march side by side, if need be, for the cause of truth and justice and righteousness. It is that union to which I have been wont to apply those beautiful words of your own great poet:

"Sail on, O Union, strong and great!
Humanity, with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!"

"Our hearts, our hopes, are all on thee;
Our hearts, our hopes, our prayers, our tears,
Our hopes triumphant o'er our fears
Are all with thee—are all with thee!"

The Treatment of Commerce in Naval Warfare.*

By Francis W. Hirst, Editor of the Economist.

A paper read at the National Peace Congress held in London, May 16, 1912.

There appeared the other day in one of our Liberal newspapers a prescription for putting "new heart in the Royal Navy." I expected to find something spiritual and uplifting—more music perhaps and songs, or more chaplains and prayers. But what the writer wanted was more prize money. The hope of gain, according to this new pattern of chivalry, is the main cause of gallantry in war; and so he would like our Government to announce that the enemy's ships and commerce will form a fund for the benefit of our seamen in the next war. "The sea-borne commerce of any maritime power likely to attack us is a potential prize fund in war time, which might raise to affluence many of the best and bravest of the British nation who follow the sea as a profession." A definition of courage and gallantry, so framed as to glorify the armed brigand or pirate who, at no risk to himself and for the purpose of filling his own purse, plunders an unarmed trader, does seem a little bit out of place at the beginning of the twentieth century. And we should be in a very bad way if the courage which defends the country were venal, and the prospects of success in a sea fight depended upon plunder. I think I remember reading a complaint of Nelson about certain captains who preferred privateering to fighting. And as for the amount gained by individuals, what is it? A mere drop in the bucket of naval expenditure. I do not suppose that all the prize money won by the British fleet in the wars of the eighteenth century would pay for the cost and upkeep during her life of a single first-class cruiser.

But Mr. Arnold White's remedy for the imaginary disease of declining courage (which he imputes by implication to our blue-jackets) will serve a purpose; for this frank avowal lays bare the sinister motives underlying our whole system of prize money. At the same time it shows us how unscrupulous men would find in it the strongest motive for picking a quarrel with some rich but defenseless nation. And it proves also how just was Mr. F. E. Smith's observation on the expansion of Germany's naval power. "If I were a German," he said, on April 21, 1909, "I would never be content

*This paper may be had in pamphlet form from the International Arbitration League, 183 St. Stephen's House, Westminster, London, S. W.